

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UTHERVERSE, INC., et al.,)	3:13-cv-00584-MMD-WGC
)	
Plaintiffs,)	<u>MINUTES OF THE COURT</u>
vs.)	
)	March 13, 2014
PROTOTERRA, INC., et al.,)	
)	
Defendants)	
_____)	

PRESENT: THE HONORABLE WILLIAM G. COBB, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: KATIE LYNN OGDEN REPORTER: NONE APPEARING

COUNSEL FOR PLAINTIFF(S): NONE APPEARING

COUNSEL FOR DEFENDANT(S): NONE APPEARING

MINUTE ORDER IN CHAMBERS:

Plaintiffs Uthervese, Inc. and Brian Shuster filed their Complaint against defendants Prototerra, Inc., a Georgia corporation (Prototerra), and Robert Steven Flesch (Flesch), on October 22, 2013. (Doc. # 1.) On November 27, 2013, Defendants filed a motion to dismiss for lack of personal jurisdiction and improper venue. (Doc. # 13.) The motion indicated that plaintiff Flesch was proceeding pro se and representing both himself and Prototerra. (Id.)

On February 6, 2014, Plaintiffs filed a request for entry of default as to Prototerra, arguing that the corporation had failed to appear or otherwise respond to the complaint. (See Docs. # 32, # 33.) The Clerk entered default as to Prototerra on February 10, 2014. (Doc. # 34.)

The court held a status conference on February 18, 2014. (See Minutes at Doc. # 36.) The court advised Mr. Flesch at that time that a corporation could only appear in federal court through an attorney, and since he was not an attorney, Mr. Flesch could not appear on behalf of the corporation, Prototerra, Inc..

On February 19, 2014, Mr. Flesch, again purporting to represent both himself and Proterra, filed a document titled: "Request to Deny Plaintiff's Request to Enter Default of Defendant Prototerra, Inc., a former Georgia corporation." (Doc. # 35.) The court construes this document as an opposition in response to Plaintiffs' motion for entry of clerk's default as to Prototerra.

Attorney William Ginn, of Levery & Associates Law, Chtd., entered an appearance on behalf of Prototerra on February 24, 2014. (Doc. # 37.) Vernon Levery, of Levery & Associates Law, Chtd., also entered an appearance on behalf of Prototerra on the same date. (Doc. # 38.)

By: _____ /s/
Deputy Clerk